

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 21 1990

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 27 1987

The applicant Newmont Gold Company

P.O. Box 669 of Carlin
Street and No. or P.O. Box No. City or Town

Nevada 89822 hereby make application for permission to change the
State and Zip Code No.

Point of diversion and place of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 51074
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed .7 cfs 165 mga
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for mining, milling, and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining, milling, and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW 1/4, SE 1/4 Section 31, T36N, R50E, MDM, from 3
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
small diameter production wells

6. The existing permitted point of diversion is located within SW 1/4, NE 1/4, Section 31, T36N, R50E, MDM,
If point of diversion is not changed, do not answer
from which the SE corner of said section 31 bears S. 20° 42' E., 3,892 feet dist.

7. Proposed place of use Sections 17, 20, 31, and 32, T36N, R50E, MDM
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use All of Section 32, T36N, R50E, MDM
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) 3 drilled and cased (6") wells equipped with
State manner in which water is to be diverted, i.e., diversion structure, ditches, motor, pump, and flow/totalizing meter.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$50,000

13. Estimated time required to construct works Wells completed as described above. Will File Proof of Completion upon approval of this application and issuance of permit.

14. Estimated time required to complete the application of water to beneficial use 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Because of Genesis mine ore production requirements and the structurally complicated nature of the aquifer to be dewatered, single large (12" - 14" diameter) dewatering wells have proven ineffective and too expensive. Small (6" diameter) wells are expected to be more effective for dewatering at Genesis.

By s/Charles Zimmerman
P.O. Box 669
Carlin, NV 89822-0669

Compared pm/se pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 51074 is issued subject to the terms and conditions imposed in said Permit 51074 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Temporary Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

This temporary permit is issued subject to the water management plan and water management plan addendum among Barrick Goldstrike Mines, Inc.; Newmont Gold Company; and T S Ranch Joint Venture dated May 1, 1989.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.7 cubic feet per second, but not to exceed 165 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 2nd day of October

A.D. 19 90

[Signature]
State Engineer

EXPIRED

DATE 10-2-91

(PERMIT TERMS CONTINUED)

Any water obtained as a result of the dewatering operation of Barrick Goldstrike Mines, Inc. or Newmont Gold Company shall be used first by the permittee for mining, milling, heap leaching, drilling, road watering and other related mining and milling uses hereinafter referred to as mining and milling uses within the described place of use and prior to any use of the water authorized under Permits 49960, 50567, 50688, 50939, 51074, 51750, 51963, 52354, 52795, 52796, 52797, 52999, 53000, 54156-T, 54212-T, 54213-T, 54304-T, 54306-T, 54307-T, 54335, 54336, 54337, 54338, 54410-T, 54598-T, 55315-T, 55316-T, 55317-T and 55318-T.

The total amount of water under the above mentioned permits shall not exceed 2,000 million gallons annually.

The State Engineer retains the right to regulate the pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

A monthly report shall be submitted to the State Engineer within 10 days from the end of the month which shall include the amount pumped from each well and the amount used for each mining and milling purpose.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on October 2, 1991 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

